



**US Army Corps
Of Engineers**
Wilmington District

PUBLIC NOTICE

Issue Date: April 12, 2013
Comment Deadline: May 13, 2013
Corps Action ID #: SAW-2012-01196

The Wilmington District, Corps of Engineers (Corps) has received a prospectus describing the establishment of a stream compensatory mitigation bank, known as the Box Creek Wilderness Stream Mitigation Bank (Bank) for Federal and State permits as described below:

Bank Sponsor:

130 of Chatham
Mr. Tim Sweeney
3409 Birk Bluff Court
Cary, North Carolina 27518

Authorized Agent:

Wildlands Engineering, Inc.
Ms. Andrea Eckardt
1430 South Mint Street, Suite 104
Charlotte, North Carolina 28203

This public notice does not imply, on the part of the Corps of Engineers or other agencies, either favorable or unfavorable opinion of the work to be performed, but is issued to solicit comments regarding the factors on which final decisions will be based. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at <http://www.saw.usace.army.mil/missions/RegulatoryPermitProgram.aspx>. The complete prospectus and mitigation plans are also available at the Wilmington District, Asheville Regulatory Field Office. Please contact 828-271-7980 extension 231, to request a copy. The information provided below is a brief summary/description of the proposed work.

WATERWAYS AND LOCATION OF THE PROPOSED WORK: The proposed bank site is located in Rutherford and McDowell Counties, between NC Highways 221 and 64, to the west of Camp Creek Road, northeast of Union Mills, North Carolina. The approximate geographic coordinates are 35.509864°N and -81.935101°W. The bank site is located within the Box Creek Wilderness Area (BCWA) which encompasses over 5,800 acres. Approximately 500 acres of the BCWA will be associated with the Bank. The Bank site is located in the headwaters of the Broad River Basin (HUC 03050105). The site contains several named tributaries to include: Cane Creek, Kelly Branch, Box Creek, Buncombe Branch, Crawley Branch, Gap Branch, and Shoal Branch.

PROPOSED WORK AND PURPOSE: The Box Creek Wilderness Stream Mitigation Bank includes over 185,000 linear feet of cool water streams and involves a combination of stream restoration, enhancement, and preservation. Specifically, the Bank includes the following: restoration of dimension, pattern, and profile of approximately 2,857 linear feet of perennial stream channel on Cane Creek, Kelly Branch, and two unnamed tributaries; the enhancement of approximately 59,800 linear feet of perennial stream channels on Box Creek, Buncombe Branch,

Crawley Branch, and several unnamed tributaries; and the preservation of 123,000 linear feet of perennial stream channels on Gap Branch, Crawley Branch, Shoal Branch, and various unnamed tributaries.

Currently there are no detailed designs on proposed stream restoration and enhancement reaches. The proposed stream restoration design will primarily include a Rosgen Priority Level 1 approach and the stream types for the restored streams will be Rosgen B or C channels with design dimensions based on those of reference reaches in the preservation areas of the Bank. The proposed enhancement design includes a combination of tools including the removal or repair of 40 culvert and ford crossings, stream stabilization, buffer enhancement, and approximately 46,675 linear feet of adjacent forest roads decommissioning or repair. As stated by the sponsor the goals of the project are: 1) Nutrient removal from creek flow 2) Sediment removal from creeks 3) Increase dissolved oxygen concentrations 4) Improve stream bank stability 5) Improve in-stream habitat 6) Restore terrestrial habitat 7) Improve aesthetics.

Based on the work described above, the sponsor is proposing the following mitigation credit generation:

Mitigation Type	Stream (linear feet)	Ratio	Stream Mitigation Units (SMUs)
Preservation	123,003	8:1	14,821*
Enhancement	59,820	5:1	11,964
Restoration	2,857	1:1	2,857
Total			29,642

*SMU adjusted based on USACE Mitigation Guidelines that only allow up to 50% of the credits be from preservation. Preservation credits could be 15,375 based on linear feet of stream preservation included in the Bank boundary.

This mitigation bank may be considered one of a number of practicable alternatives available to applicants to compensate for unavoidable stream and wetland impacts associated with permits issued under the authority of Sections 404 and 401 of the Clean Water Act for projects located within the prescribed geographic service area.

Oversight of this compensatory mitigation bank will be by a group of Federal and State agency representatives collectively referred to as the Interagency Review Team (IRT). The IRT shall be chaired by the Wilmington District, U.S. Army Corps of Engineers and is comprised of representatives from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, N.C. Division of Water Quality, and the N.C. Wildlife Resources Commission.

The actual approval of the use of this mitigation bank for a specific project is the decision of the Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. The Corps provides no guarantee that any particular individual or general permit will be granted authorization to use this wetland compensatory mitigation bank to compensate for unavoidable wetland impacts associated with a proposed permit, even though mitigation from this bank may be available.

AUTHORITY: A Public Notice regarding proposed mitigation banks is required pursuant to the rules published in the Code of Federal Regulations (CFR) for Compensatory Mitigation for Losses of Aquatic Resources (33 CFR 332.8(d)(4)).

FEDERAL EVALUATION OF PROPOSAL: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate this proposed mitigation bank. Any comments received will be considered by the Corps in evaluating this proposal. Comments are used to assess impacts on endangered species, historic properties, conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

Preliminary review indicates that: 1) An environmental impact statement will not be required; 2) No species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and 3) No cultural or historic resources considered eligible or potentially eligible for listing on the National Register of Historic Places will be affected. Additional information may change any of these preliminary findings.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Attention: Ms. Amanda Jones, Asheville Regulatory Field Office, 151 Patton Avenue, Room 208, Asheville, North Carolina 28801, until 5:00 p.m., May 13, 2013.



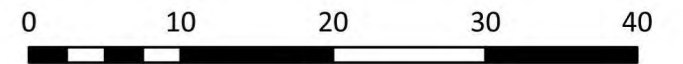
 SERVICE AREA (Broad River Basin)
 BANK LOCATION



Figure 1:
 Service Area Map
 Box Creek Wilderness Stream Mitigation Bank
 Draft Prospectus



State Plane North Carolina, NAD 1983
 Map produced: February 2013
 This map is for informational purposes and was not prepared for, and is not suitable for
 legal, engineering, or surveying purposes. Users of this information should review or
 consult the primary data and information sources to ascertain the usability of the information.

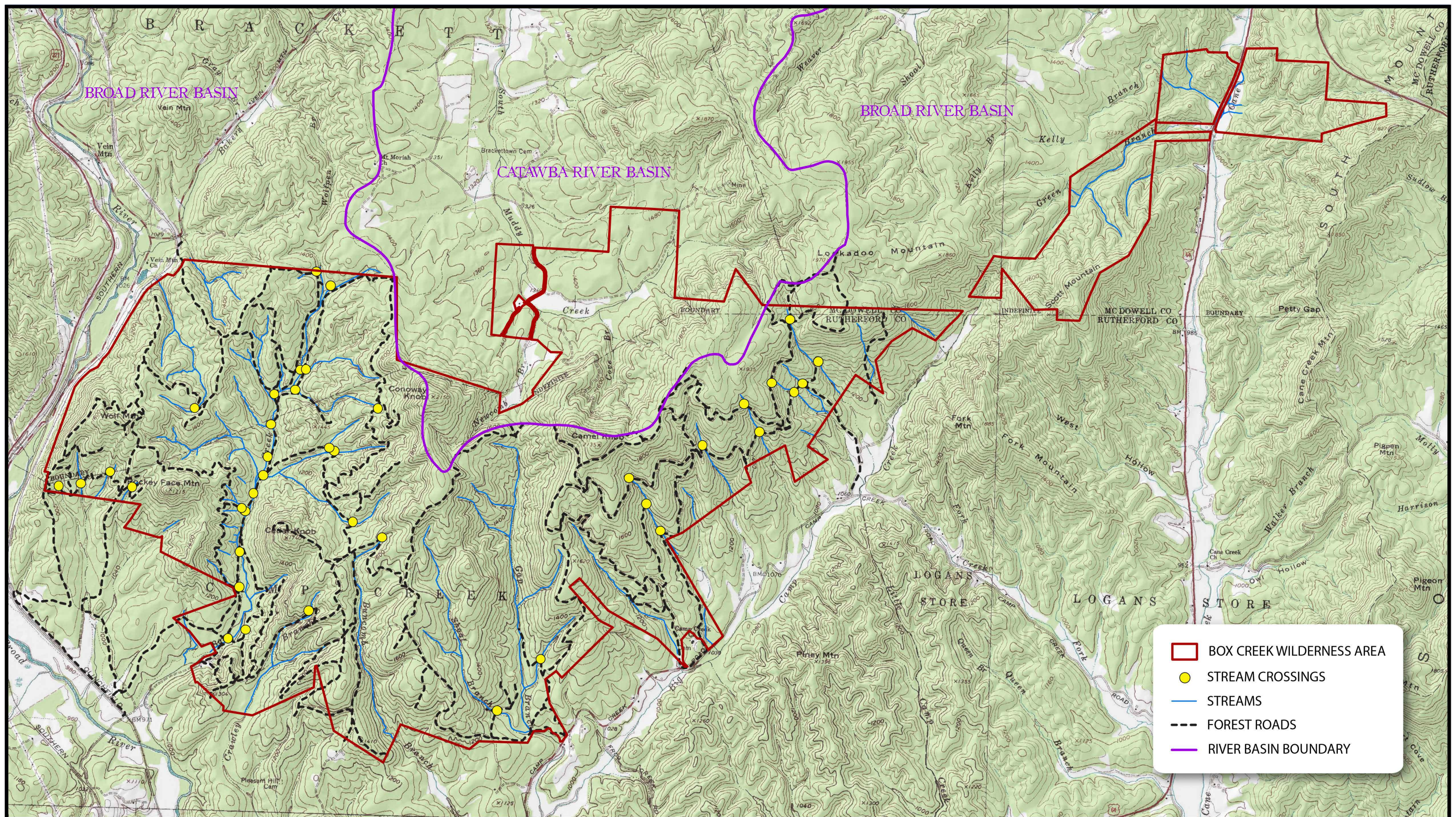


Figure 2:
 Site Map
 Box Creek Wilderness Stream Mitigation Bank
 Draft Prospectus



0 0.5 1 1.5 2
 Miles

State Plane North Carolina, NAD 1983
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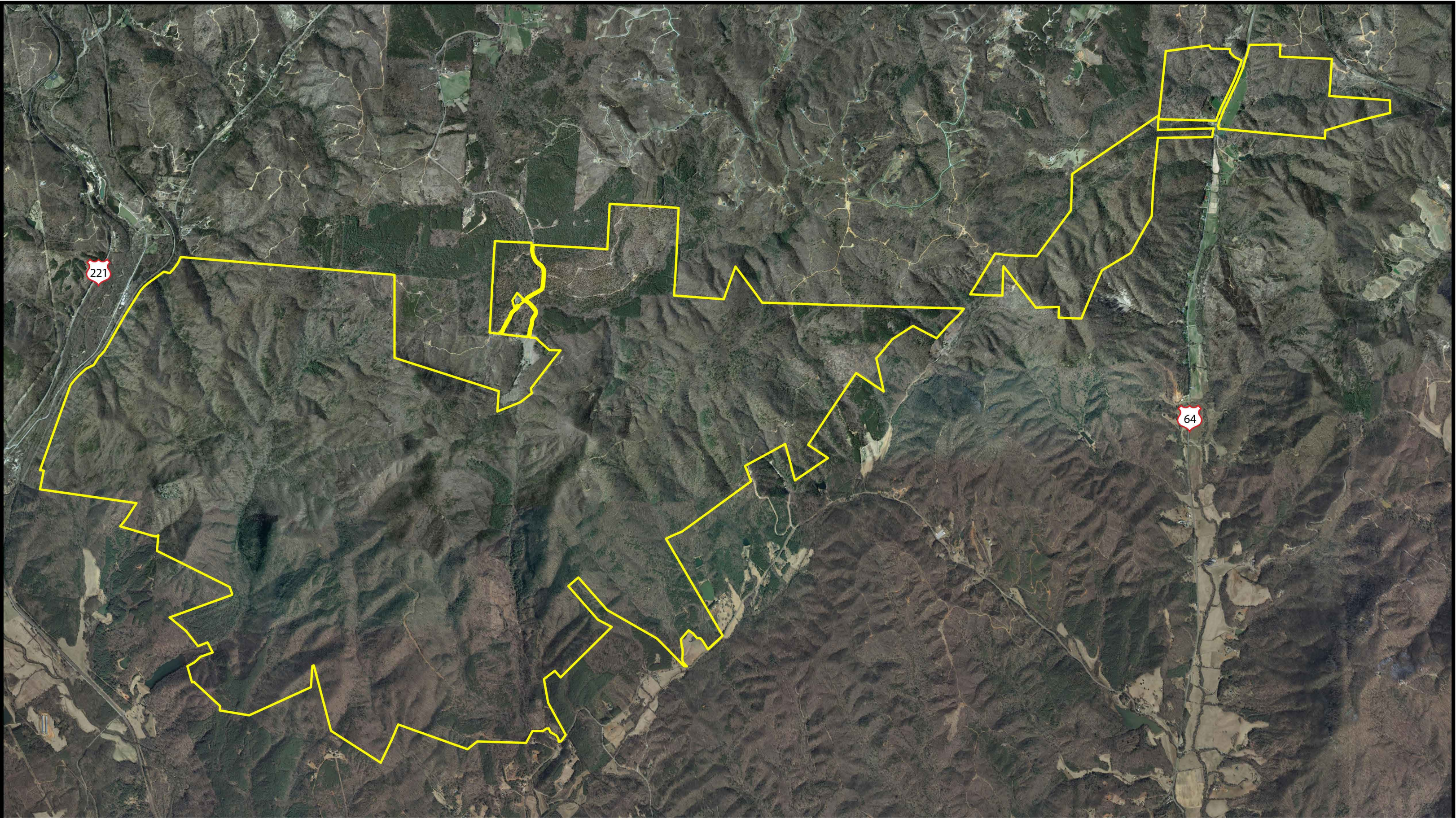
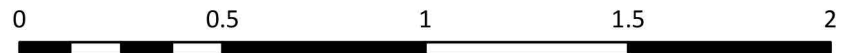
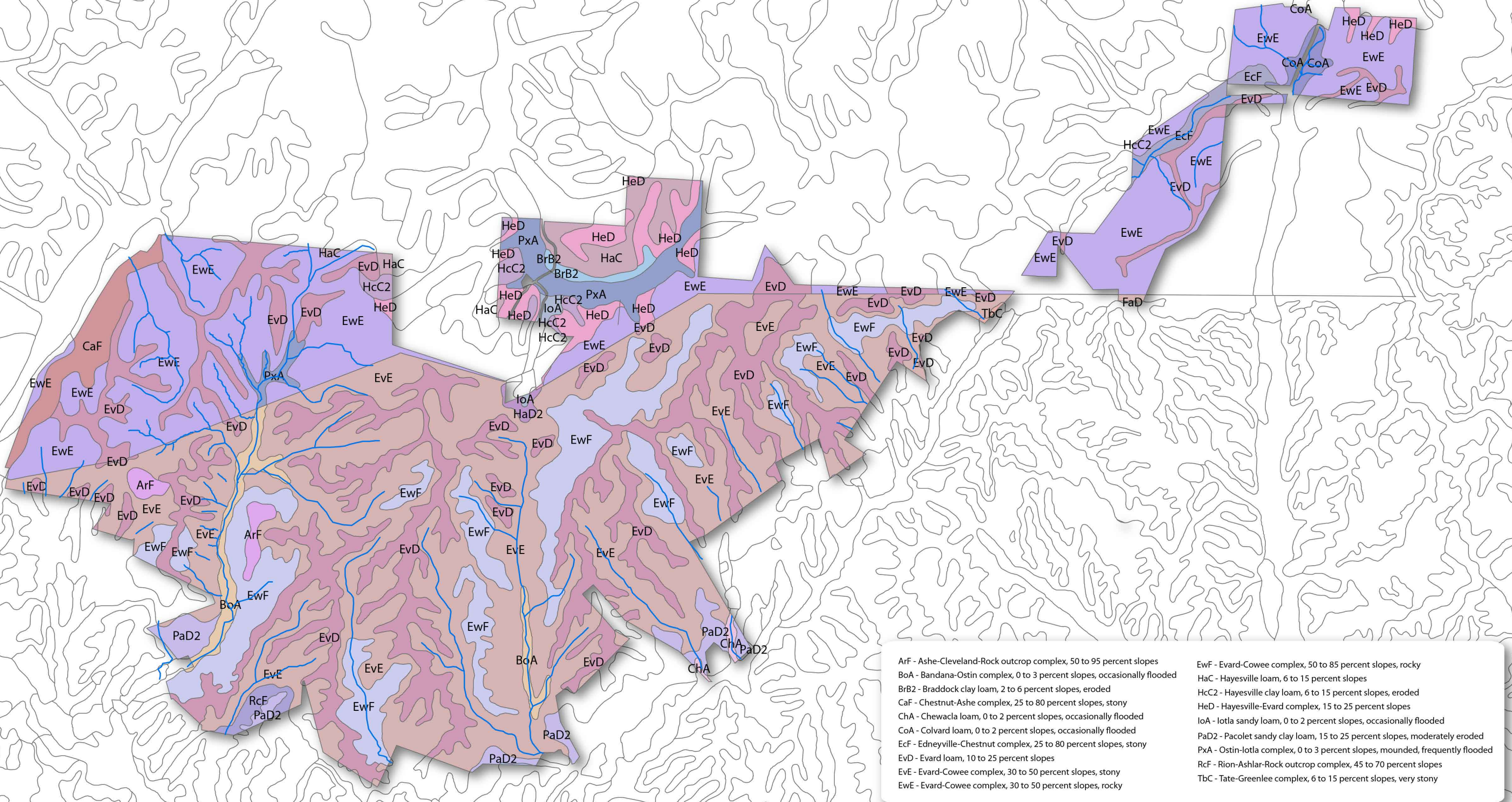


Figure 3:
Aerial Photography (2010)
Box Creek Wilderness Stream Mitigation Bank
Draft Prospectus

 BOX CREEK WILDERNESS AREA



State Plane North Carolina, NAD 1983
Map produced: February 2013
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- ArF - Ashe-Cleveland-Rock outcrop complex, 50 to 95 percent slopes
- BoA - Bandana-Ostin complex, 0 to 3 percent slopes, occasionally flooded
- BrB2 - Braddock clay loam, 2 to 6 percent slopes, eroded
- CaF - Chestnut-Ashe complex, 25 to 80 percent slopes, stony
- ChA - Chewacla loam, 0 to 2 percent slopes, occasionally flooded
- CoA - Colvard loam, 0 to 2 percent slopes, occasionally flooded
- EcF - Edneyville-Chestnut complex, 25 to 80 percent slopes, stony
- EvD - Evard loam, 10 to 25 percent slopes
- EvE - Evard-Cowee complex, 30 to 50 percent slopes, stony
- EwE - Evard-Cowee complex, 30 to 50 percent slopes, rocky
- EwF - Evard-Cowee complex, 50 to 85 percent slopes, rocky
- HaC - Hayesville loam, 6 to 15 percent slopes
- HcC2 - Hayesville clay loam, 6 to 15 percent slopes, eroded
- HeD - Hayesville-Evard complex, 15 to 25 percent slopes
- IoA - Iotla sandy loam, 0 to 2 percent slopes, occasionally flooded
- PaD2 - Pacolet sandy clay loam, 15 to 25 percent slopes, moderately eroded
- PxA - Ostin-Iotla complex, 0 to 3 percent slopes, mounded, frequently flooded
- RcF - Rion-Ashlar-Rock outcrop complex, 45 to 70 percent slopes
- TbC - Tate-Greenlee complex, 6 to 15 percent slopes, very stony

Figure 5:
Soils Map
Box Creek Wilderness Stream Mitigation Bank
Draft Prospectus



0 0.5 1 1.5 2
 Miles

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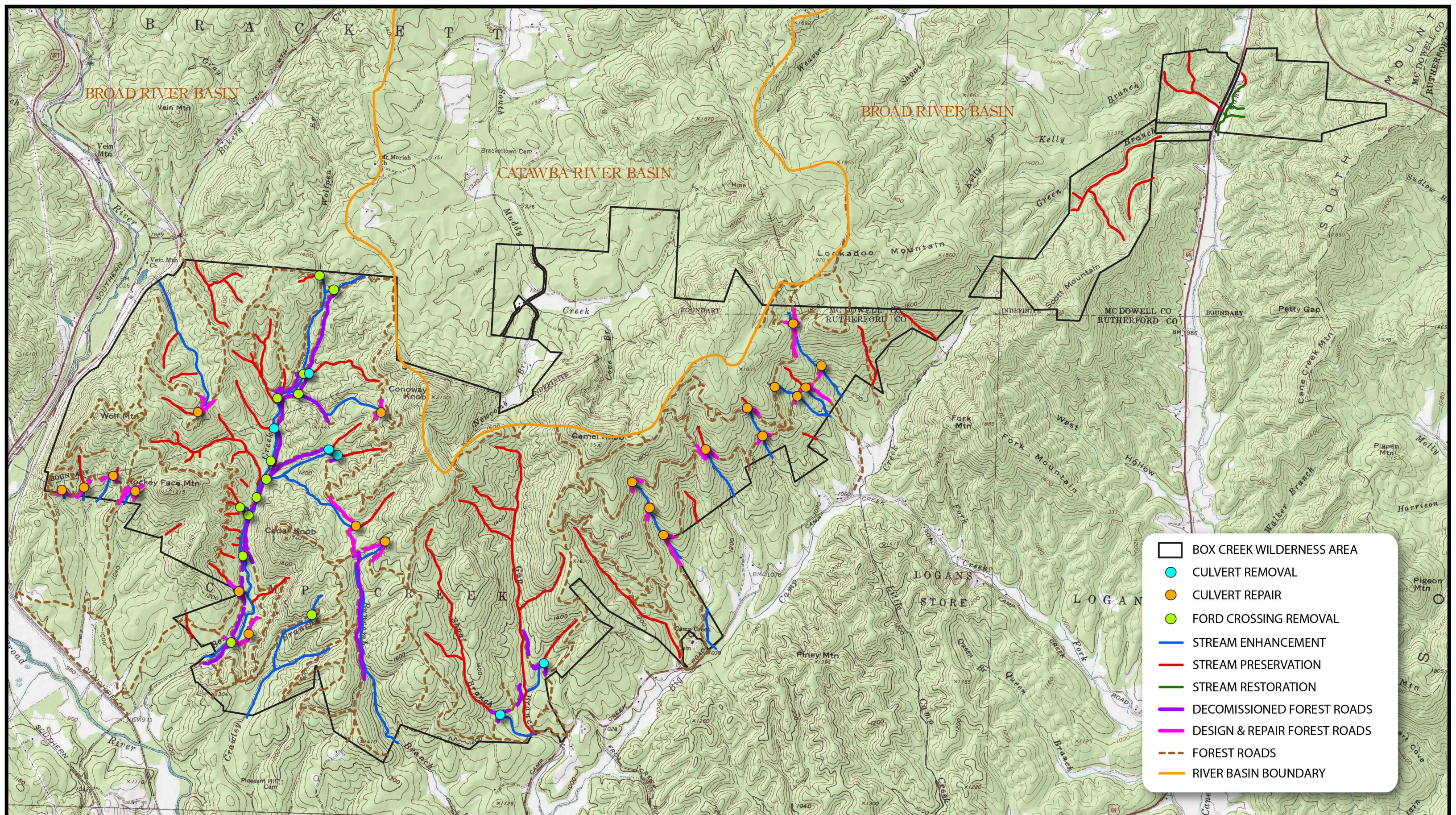
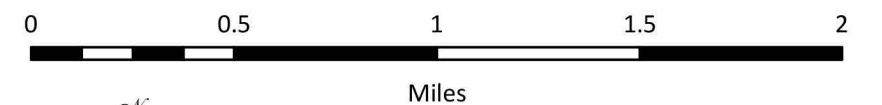


Figure 6:
 Conceptual Plan
 Box Creek Wilderness Stream Mitigation Bank
 Draft Prospectus



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